

REMARKS

Favorable reconsideration of this application, as presently amended, is respectfully requested.

Claims 1-18, 22-40, 42 and 44-50 are pending in the present application. Claims 19-21 have been canceled and claims 48-50 have been added by the present amendment. Claims 1-38, 42 and 44-47 were rejected 35 USC 102(e) as being anticipated by Monty et al. '416. Claims 39-40 were rejected under 35 USC 103(a) as being unpatentable over Monty et al. '416 in view of Kondo et al. '652.

With reference to the rejection of claims 1-38, 42 and 44-47 under 35 USC 102(e) as being anticipated by Monty et al. '416, the reference to Monty et al. '416 is not believed to anticipate or make obvious the specific features required by the claimed invention. Claim 1 sets forth a digital printer for producing hard copy prints that comprises a marking apparatus adapted to provide images on a print; a digital medium interface for transferring images from a digital storage medium that stores a plurality of digital images; a network connection for communicating with the network; and a graphical user interface having user controls. The graphical user interface of claim 1 is adapted to select a digital image stored on the digital storage medium and selectively communicate with both the marking apparatus for local printing of the selected image and the network for remote printing of the selected image from a remote printing site, wherein communication with the network for remote printing at the remote printing site further enables the graphical user interface to display a plurality of photo-product options that can be fulfilled at the remote printing site to create a fulfilled photo product. As further required by claim 1, the photo product options include at least a physical object other than a paper print and the fulfilled photo-product comprises the selected image incorporated with a selected the photo-product option.

Therefore, as described at least on page 24 of the present specification, the invention provides for an arrangement wherein a user interface is enabled to display a photo product option for fulfillment that may not be able to be fulfilled at a user's home. More specifically, in some instances, a user may wish to obtain photo mugs, t-shirts, pictures frames, etc. that incorporate their selected images. These products are the type that cannot be provided by a user's

desktop printer. As set forth on pages 2 and 3 of the Office Action, Monty et al. with respect to photo-products is being interpreted as the number of copies, print size parameters or brightness settings that could be fulfilled by a photo center. However, Monty et al. is not believed to show or suggest the specific features required by amended claim 1, wherein the photo-product options are described as physical objects other than paper prints, and the fulfilled photo-product comprises the selected image incorporated with a selected photo-product option.

Therefore, the reference to Monty et al. is not believed to anticipate or make obvious the features of claim 1.

Claims 2-18 and 22-31 depend either directly or indirectly from claim 1 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied reference to Monty et al.

The present amendment further includes claims 48-50 which depend from claim 1 and set forth further features with respect to the photo-product options and the fulfilled photo-products. More specifically, as illustrated in Figs. 9A-9D and 10A-10D and also described in, for example, page 24 of the present application, the photo-product's options could include elements such as a picture frames, a bound album, a t-shirt and a mug. Further, the user controls of the present invention is enabled to permit the selection of at least one of a color, style, and quantity of the photo product, while the display is adapted to display the selected image incorporated with the selected photo-product option. The reference to Monty et al. is further not believed to show or suggest the features of claims 48-50.

Claim 32 relates to an imaging apparatus and like claim 1 requires that user controls enable a display on a display screen of a plurality of photo-product options that can be fulfilled at a remote site, and that the photo-product options include a physical object. Claim 32 further requires that fulfilled photo product comprises a selected image incorporated with a selected photo-product option. For the reasons noted above with regard to claim 1, the reference to Monty et al. is not believed to show or suggest the features of claim 32.

Claim 33 depends from claim 32 and sets forth a further unique feature of the present invention which is also not believed to be shown or suggested in the applied reference.

Claim 34 relates to a method of producing prints and like claim 32 requires that the photo-product options include at least a physical object, and that the fulfilled photo-product comprises a selected image incorporated with a selected photo-product option. For the reasons noted above, the reference to Monty et al. is also not believed to show or suggest the features of claim 34.

Claim 35 depends from claim 34 and sets forth an additional unique feature of the invention that is also not shown or suggested in the applied reference.

Claim 36 which relates a method of producing prints, and claim 37 which relates to a self contained digital printer also include the limitation of the photo-product options as including at least a physical object, and the fulfilled photo-product comprising the selected image with a selected photo-product option as required by claim 32. Therefore, claims 36 and 37 are also believed to be allowable over Monty et al.

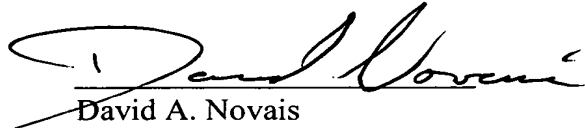
Claims 38-40, 42 and 44-47 depend either directly or indirectly from claim 37 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied reference.

In view of the above, the reference to Monty et al. is not believed to anticipate or make obvious the features of claims 1-18, 22-38, 42 and 44-50.

Referring to the rejection of claims 39-40 under 35 USC 103(a) as being unpatentable over Monty et al. in view of Kondo et al., the reference to Monty et al. and its applicability to the claimed invention has been discussed above. The reference to Kondo et al. is not believed to correct the deficiencies of Monty et al. with respect to the claimed invention. Each of claims 39-40 depend from claim 37 and set forth further features of the camera interface. The reference to Kondo et al., whether considered individually or in combination with Monty et al. would not show or suggest the specific features of the present invention with respect to the displayed photo-product options and the creation of a fulfilled photo-product at a remote site, in combination with the further features of claims 39-40. Accordingly, these claims are also believed to be allowable.

In view of the foregoing comments, it is submitted that the inventions defined by each of claims 1-18, 22-40, 42 and 44-50 are patentable, and a favorable reconsideration of this application is therefore requested.

Respectfully submitted,



David A. Novais
Attorney for Applicant(s)
Registration No. 33,324

DAN/ld
Rochester, NY 14650
Telephone: 585-588-2727
Facsimile: 585-477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.